

### Remarks/Arguments

Claims 1-5 are pending and are rejected.

Claims 1, 2, and 4 are amended. Claim 2 and 4 are amended to conform to the changes made to claim 1.

#### Claim Rejection - 35 U.S.C. §102(e)

Responsive to the rejection of claims 1-5 under 35 U.S.C. §102(e) as being anticipated by US Patent Application No. 2003/0208756 ("Macrae"), applicants have amended independent claim 1 to more particularly point out and distinctly claim the subject matter that applicants regard as the invention. Applicants submit that amended claim 1, and dependent claims 2-5, are not anticipated by Macrae for reasons discussed below.

Amended claim 1 recites method of displaying a targeted advertisement dynamically along with an electronic program guide in response to user navigation in a video apparatus, comprising the steps of:

*receiving a plurality of advertisements, each advertisement having a descriptor indicating at least one associated program in the electronic program guide;*  
*storing the received advertisements; and*  
*in response to the user highlighting one of the plurality of programs in the electronic program guide, displaying a stored advertisement, the at least one associated program of which includes the highlighted program.* (Emphasis added)

Support of the highlighted features can be found, for example, at page 7, line 3-6 and page 8, lines 3-10. An advantage of the claimed invention is that a service provider may change the advertisement associated with programs without having to re-download a new EPG and each advertisement can be associated with more than one program because one can specify one or more programs in the descriptor of an advertisement.

By contrast, Macrae discloses different methods for displaying targeted advertisements in an electronic guide. In one of the methods, Macrae states that advertisements can be stored in a memory, each advertisement is associated with a hard page of nine consecutive channels in the EPG, and when a user scroll through a different hard page, the associated advertisement is displayed. See paragraphs 0218 and 0220.

First of all, each advertisement in Macrae is associated with a different hard page, not a program, as recited in amended claim 1.

Second, Macrae does not disclose or suggest how each advertisement is associated with a hard page. Since Macrae states that when a user scroll through a different hard page, the associated advertisement is displayed, it appears that each hard page includes a link to an associated advertisement. As such, the system disclosed in Macrae has no need to examine a descriptor of each advertisement to determine if an advertisement is associated with the different hard page. In fact, Macrae does not even disclose or suggest that each advertisement has a descriptor indicating at least one associated program, as recited in amended claim 1.

Lastly, since Macrae does not disclose or suggest that each advertisement has a descriptor indicating at least one associated program, as recited in amended claim 1, Macrae also does not disclose or suggest that in response to user highlighting one program in the EPG, displaying a stored advertisement, the at least one associated program of which includes the highlighted program.

In light of the fact that Macrae does not disclose or suggest a method of displaying a targeted advertisement dynamically along with an electronic program comprising the steps of receiving a plurality of advertisements, each having a descriptor



indicating at least one associated program in the electronic program guide, and in response to user highlighting one of the plurality of programs in the electronic guide, displaying a stored advertisement, the at least one associated program of which includes the highlighted program, as recited in amended claim 1, applicants submit that amended claim 1, and dependent claims 2-5, are patentable over Macrae.

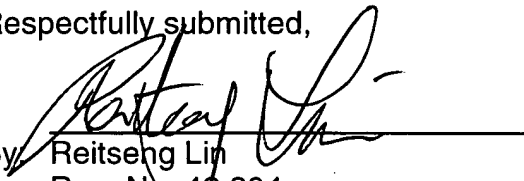
#### Conclusion

Having fully addressed the Examiner's objections and rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

#### Fee

No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,

By   
Reitseng Lin  
Reg. No. 42,804  
Phone (609) 734-6813

Patent Operations  
Thomson Licensing Inc.  
P.O. Box 5312  
Princeton, New Jersey 08540  
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#### CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to [Mail Stop Amendment], Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

4-11-06  
Date

Karen Schuch